

1 JUDGE SIPPEL: Okay, I withdraw my comment.

2 THE WITNESS: I can tell you the biggest event we
3 had during that time period, which I don't even think I
4 brought it up before in my deposition, but July of '90 --
5 wait -- I'm off a period. It was July of '94. Okay. Let's
6 see.

7 BY MR. SHOOK:

8 Q Well, actually, July of '94, I think, is still
9 okay.

10 A Is it? Okay.

11 I believe that's when we had our "Kids Fun Day,"
12 that we worked with Albright College and we had a whole
13 bunch of different community groups. I would have to check
14 on the date. But I believe it was in that period. We had a
15 whole bunch of community groups come in and we didn't
16 broadcast it, and basically got as many groups as we could
17 together, got the stadium from the college, and everybody
18 just, as we were the sponsor, and we just had all these
19 educational groups who had all these kids groups come in
20 from summer camps, from YMCA, from anything possible, and
21 they just came in, learned about all different types of
22 things.

23 Q The station was the sole sponsor of this event?

24 A We and the college that had the stadium, but I
25 would really have to check that date.

1 As far as other organizations, we've been involved
2 a lot with PAL, Police Athletic League. We were involved a
3 lot with --

4 Q Okay, before you -- you know, as you mention each
5 one, could you describe what it is the station did --

6 A Okay.

7 Q -- that you believe constitutes community outreach
8 with respect to the entity that you mention?

9 A Well, with PAL, we've gone to their locations
10 several times. We taped the governor coming there for one
11 of their food, their cafeteria, they were having like
12 lunches for underprivileged kids, and for community kids.
13 They also had one of our local boxers doing a program over
14 at PAL.

15 So we would go over there and tape different
16 things that were going on, and basically, I mean, the kids,
17 even if we didn't use it for the story, the kids really
18 enjoyed the camera crews coming there and jumping all over
19 them, making faces type thing. So we did that kind of
20 thing.

21 Q All right, you've mentioned Albright College and
22 PAL. Are there any other community outreach efforts that
23 you can recall?

24 A The American Red Cross, we constantly did thing
25 with them. We did a lot of on-air things with them. But

1 they were -- I'm missing dates. I'm sorry.

2 Q That's okay. This is a matter of what you
3 remember. There will be other people who can testify about
4 this.

5 A But I mean, we did -- when there was one of the
6 floods going on, we went over there and had our presence,
7 and we were basically helping them get people to come to
8 this concert.

9 Q Okay, why don't you go into a little more detail
10 there. What's that all about?

11 A I'm not sure of the date, that's my problem. It
12 was when the flood was going on in the Midwest. They wanted
13 to have a clothing and food type drive, so we helped with
14 that, and we basically went there and interviewed the
15 people, you know, did interviews at the concert type thing.

16 Q This was a benefit concert where money and
17 clothing was being raised to send to the Midwest?

18 A Yeah. Toys-for-Tots, we did almost year, and that
19 was we would have the marines come in and do a standard
20 Toys-for-Tot. We would donate, you know, the time in the
21 studio, and also a lot of times we made the PSA and gave
22 them tapes to take to other cable companies. I mean, you
23 know, cable companies so that they could air it all over the
24 place.

25 Let's see, March of Dimes, we've always did thing

1 constantly with them. I actually went to some of the
2 meetings. American Business Women, I would go to their
3 meetings and talk to different groups about opportunities.
4 A lot of times, like the American Business Women, I went
5 there basically to try to get their input into some of our
6 programming, so I try to stay involved with them.

7 Let's see, the Reading Minigram Prix, which was a
8 car race and it was sponsored by the Bugle Corps and the
9 Reading Improvement and downtown, and we were heavily
10 involved with taping that, going to all the -- promoting the
11 event, going to all their fund raisers and that kind of
12 thing.

13 The Concours to Elegance, even though we made a
14 tape for them, we spent days there shooting it days before,
15 you know, getting all the interviews and that type of thing.
16 We ran promotions for them free before the event happened.

17 Durrier Days is one other thing that had -- it was
18 like the history of the first county area, the start of the
19 Durrier Park. We did events with that and we also created a
20 video that went to the Historical Society.

21 As far as the Vietnam Memorial, we did that before
22 this time period. We made an hour of video tape on that but
23 we continually ran that program afterwards, and even every
24 once in awhile we will still run that program now, but it
25 basically was the making of the Vietnam Memorial and the

1 dedication.

2 Q You're referring to the Vietnam Memorial down here
3 in Washington?

4 A No, no, the one in Reading, in Berks County.

5 Q Ah.

6 A For the Berks County area.

7 Let's see, so we did a lot of things with the
8 veterans.

9 As far as Girl Scouts and Boy Scouts, we did a lot
10 of work with them. The Girl Scouts have a badge that
11 requires them to come into the TV station and also make a
12 PSA, and what I did is I had the groups come in, I teach how
13 to do a basic story board where they make the different
14 pictures, what they want their PSA to be about. I let them
15 decide, and we didn't always -- once we've made it, but we
16 didn't always make them, but what I would do is I'd ask them
17 to send them all back in after they made their little script
18 and story board, and I would pick one from the troop and
19 say, yeah, you are the winner. You came up with the most
20 creative idea.

21 Cub Scouts were easier. They basically came in
22 and I explained to them how to do everything. Sometimes I
23 would put them in front of the camera or sometimes I would
24 actually have a guest come in and try to get a show at the
25 same time while they were there.

1 "Learning For Life," I mentioned before. That's
2 from the Boy Scout Council where we would go to all the
3 different schools and we would talk about why you want to be
4 in TV.

5 Let's see, I know I could talk a lot more if I
6 could have --

7 Q This is your chance.

8 A St. James Chapel Church, we basically went on
9 location when they were having all -- I guess it was the
10 meeting of all the churches together, and we went on
11 location and shot the different congregations coming
12 together and they had us singing and everything like that,
13 and that basically wasn't for our airing.

14 St. James School or St. John's -- it's one of the
15 schools, we went out and taped a fashion show for them, and
16 the fashion show was to raise money for the school, and we
17 ran that actually as a small "News To You" type feature.

18 And then like all the community groups, I mean, we
19 did things with Daffodil Days for the American Cancer
20 Society, and that kind of thing where actually our station
21 would buy and help them distribute daffodils and that kind
22 of thing.

23 But a lot -- I mean, a lot of almost everyone of
24 the major groups came in at one time or another for
25 community outreach or "In Touch."

1 Q Now, this is a slightly different question, so you
2 don't need to repeat yourself in the sense that if you've
3 already given us this kind of information, you can just let
4 it go at that. But are you aware of any special effort by
5 the station toward providing a forum for local self-
6 expression during the 1989 to 1994 license term?

7 A Self-expression?

8 Q Well, in other words, it's not necessarily under
9 your editorial control. It's something where the entity
10 itself is going to be expressing itself in some way.

11 A Yeah.

12 Q This is kind of a vague category, but it's one of
13 the criteria we're supposed to consider.

14 A No. Pretty much everything was pre-taped. So are
15 you asking the control we had of it or we just --

16 Q No, not necessarily.

17 A A nonsolicited editorial is what you're asking for
18 or?

19 Q No. Basically you may have provided a lot of
20 information already in terms of how you made the station
21 available as a forum for local self-expression. Entities in
22 your community would be able to come in and utilize station
23 facilities and get their message out, and I think that's
24 what you have been describing --

25 A Yes, yes.

1 Q -- to some extent already.

2 A Yes.

3 Q All right, one final matter.

4 Are you aware of a construction permit that
5 Reading Broadcasting, Inc. hold?

6 A Yes.

7 Q What understanding, if any, do you have to the
8 likelihood of that construction permit ever being
9 effectuated?

10 A I really don't know a lot about the case. I just
11 keep putting permits into the public file.

12 Q Do you know who would know about it?

13 A I'm sure our upper management. George Mattmiller,
14 Mike Parker, and Frank McCracken would know a lot about it.
15 Dave Kase would know the engineering statistics, the
16 engineering information for it.

17 (Pause.)

18 MR. SHOOK: I have nothing further at this point,
19 Your Honor.

20 JUDGE SIPPEL: Okay. Do you want to take a slight
21 recess, a short recess before we continue? We'll be back at
22 quarter after three. Okay, we are in recess.

23 (Whereupon, a recess was taken.)

24 JUDGE SIPPEL: We are back on the record.

25 MR. HUTTON: Your Honor, our witness will be back

1 momentarily. If we could, I'd like to take up a scheduling
2 issue off the record while we are waiting.

3 JUDGE SIPPEL: Fine. Off the record.

4 (Discussion off the record.)

5 JUDGE SIPPEL: In an off-the-record discussion, it
6 was explained because of personal family health matter of a
7 very imminent nature with respect to Mr. Kase, we are
8 postponing his testimony, and with the concurrence of all
9 parties I'm permitting his testimony to be taken by speaker
10 phone in the early part of next week.

11 Does that accurately reflect everything?

12 MR. HUTTON: Yes, sir.

13 JUDGE SIPPEL: Very well. We now have -- Ms.
14 Bradley is back on the stand, and Mr. Bechtel, you are up
15 again.

16 CROSS-EXAMINATION

17 BY MR. BECHTEL:

18 Q I don't have that much. I want to ask you about
19 long form programming, and in particular, long form
20 programming produced by the station, okay?

21 Now, I'm looking at your -- for starters, at your
22 paragraph (c) on page 7, where at the bottom of the page you
23 mention a time -- you have already mentioned a time --

24 A Mm-hmm.

25 Q You've mentioned just above that special Christmas

1 Day programming, including gospel music programs produced by
2 the station.

3 A That's correct.

4 Q In our review of the logs, we have seen several of
5 those and they generally either are entitled "Gospel Music"
6 or "Northern --

7 A "Gospel Southern Style."

8 Q " -- Gospel Southern Style."

9 A Yes.

10 Q All right. And that involves a music group that
11 included at one time the station employee or am I --

12 A Yeah, Ken Taylor and Jove Biscoll. We had like we
13 went to different locations, statesmen, we have several
14 different groups.

15 Q I believe earlier today there was a question or
16 two about Concours '91."

17 A Mm-hmm.

18 Q That being an automobile show for the benefit of
19 the Burns Foundation?

20 A Right. Yeah, we did two shows, two Concours shows
21 we produced.

22 Q Okay. You're right. Christmas Eve '92 and
23 Christmas Day '93.

24 I think you also mentioned some time today the
25 Switchback Gravity Railroad?

1 A Ah, yes, that was one I forgot.

2 Q And that was one but it's been repeated from time
3 to time; is that --

4 A Yes, it doesn't have a time date, so it can be
5 repeated.

6 Q And for those who didn't have the benefit of our
7 deposition of the gentleman from that organization, briefly
8 what is Switchback Gravity Railroad?

9 A Switchback Gravity Railroad is an old railroad
10 from Jim Thorpe, Pennsylvania. They are trying to raise
11 money to rebuild it, to basically put it back to working
12 order. It was one of the only ones in that area. It was a
13 direct climb up a mountain, and we basically made a whole
14 type documentary history. We told old film archives,
15 everything like that, put it together to make a tape for
16 them for them to sell at their museum, for them to ship out,
17 and also we gave them like free air time for running it, and
18 then people could call in and buy tapes from them and all
19 the proceeds went to the Switchback Foundation.

20 Q My notes are that -- well, "Take Three" is
21 normally -- it's less than five minutes in length, there
22 was at least one "Take Three" program that was longer than
23 that in Christmas of 1993.

24 Do you recall that?

25 A Yes. Probably -- I think we did it two years in a

1 row. It was a Christmas special. The students put, they
2 put it on together. They got special Christmas-oriented
3 shows. They went up to Bethlehem, Pennsylvania. They got
4 all different types of stories that were Christmas-related,
5 and put together a half-hour special. They had a lot of fun
6 with it.

7 Q On Christmas Day of 1993, there was a program
8 called the "West Long Firemen's Parade."

9 Do you recall that?

10 A Yes.

11 Q And you produced that?

12 A Yes, the station produced it.

13 Q May I assume it was a parade?

14 A Yes, it was a firemen's parade for fund raising
15 for a new engine.

16 Q On December 25th of 1989, there was a program
17 which I believe the station produced called "Sports in
18 Motion."

19 Do you recall that?

20 A Yes, I do. That was a half hour.

21 Q Describe that.

22 A It was a half-hour sports show that I believe we
23 were trying to bring off the -- we were trying to have it
24 like be a constant show. We had like local baseball team.
25 We had a lady who did like a workout regime. We had the

1 locals -- what was going on in the local community as far as
2 the sporting events. And it was put together in a half-hour
3 show. We were using our local production people and we had
4 the -- the fitness director was from the outside, but the
5 talent was from our staff.

6 Q Christmas 1990, a program called "To Russia From
7 the Heart."

8 Do you recall that program?

9 A Yes, I do.

10 Q Would you describe that?

11 A That's another one we produced with -- it's
12 terrible, I was just talking about it -- Rogers. We
13 produced it with -- basically, the program, we produce
14 our -- Dan Van Dete went out to -- out to the Rogers' house,
15 it's terrible.

16 Q Talking about Roy, Roy --

17 A Roy Rogers, yes.

18 Q All right.

19 A Thank you. My mind slips.

20 They went to their house and they basically were
21 talking about getting Bibles. There was an opening in
22 Russia that can bring Bibles over to Russia, and they
23 basically made a half-hour show talking about you can send
24 this kind of money, and that would enable this organization
25 to bring Bibles to Russia.

1 JUDGE SIPPEL: What year was that again?

2 THE WITNESS: I don't know offhand. What year did
3 you say?

4 MR. SHOOK: He can't -- he can't hear you.

5 THE WITNESS: I didn't produce that one.
6 What?

7 MR. SHOOK: He can't hear you unless he's looking
8 at you.

9 THE WITNESS: Oh.

10 JUDGE SIPPEL: She forgot the year. I asked her
11 what year it was.

12 THE WITNESS: What year did you say that was
13 again, "From Russia with Love."

14 MR. BECHTEL: December 25, 1990.

15 THE WITNESS: 1990.

16 JUDGE SIPPEL: Thank you.

17 BY MR. BECHTEL:

18 Q And during the time frame May 28, 1990 to June 4,
19 1990, apparently Reverend Scott had a series of revival
20 programs all night for a period of about a week.

21 Do you recall that?

22 A Yes.

23 MR. BECHTEL: That's all I have.

24 THE WITNESS: Okay, thank you.

25 JUDGE SIPPEL: Redirect?

1 REDIRECT EXAMINATION

2 BY MR. HUTTON:

3 Q Ms. Bradley, in response to questions from Mr.
4 Shook you indicated, I think, that the station maintained an
5 ascertainment file during the license term in question; is
6 that correct?

7 A Yes, it is.

8 Q And did you indicate that you had provided a copy
9 of that file to my law firm?

10 A I provided it to Adams Communications and I
11 thought -- it went to Adams Communications.

12 Q Okay. And do you recall approximately the size of
13 that file? Are we talking about a file drawer or a thin
14 folder? What are we talking about?

15 A Legal boxes, maybe five or six.

16 Q What do you mean "legal boxes"?

17 A The legal size boxes that they use for legal --
18 yeah, sort of like that. I believe 10 of them left our
19 station; a lot of them were public files and -- they were
20 public files and ascertainment together.

21 Q And you think about five or six of them
22 represented ascertainment --

23 A Yes.

24 Q -- material?

25 A Yes, easily; probably about six.

1 Q And was that ascertainment material for just this
2 license term or for a broader period?

3 A Just that license term.

4 Q During a response to a question from Mr. Shook you
5 mentioned an open for one of the program, and I think it was
6 "News To You." You mentioned that there was some opening
7 music or something like that.

8 What exactly was there that -- what exactly was
9 there that indicated a separation of that program from the
10 surrounding programming?

11 A Basically, the small segmented programs, they all
12 had their own opening and close with copyright at the end,
13 with their titles and opening and closing music so you knew
14 the segment was starting.

15 Q And what types of programs do that apply to?

16 A That applied to "News To You" had its own as well
17 as the rest. Actually, almost everything did. "News To
18 You," "In Touch" had an opening and close; "Health Feet,"
19 "Community Outreach," "Street Wise," "Take Three," "Elderly
20 Update," "Kids Corner," "For the People," "The Informative
21 Moment," "Around Our Town," even community calendar had a
22 slight open and close with addresses on it so it's easy to
23 write to.

24 "Pets of the Week," "Have You Seen Me," "Crime
25 Stoppers," they all had opening and closes with copyrights

1 on the end.

2 MR. HUTTON: All right, I have no further
3 questions.

4 JUDGE SIPPEL: Does that level anything further?
5 Are you finished, Mr. Shook?

6 MR. SHOOK: I have nothing further.

7 JUDGE SIPPEL: I have nothing further for the
8 witness.

9 You are excused as a witness.

10 THE WITNESS: Okay.

11 JUDGE SIPPEL: I'm going to ask you not to talk
12 about your testimony with the other witnesses.

13 THE WITNESS: Okay.

14 JUDGE SIPPEL: You can talk to counsel, of course.

15 THE WITNESS: Okay.

16 JUDGE SIPPEL: Until the Reading case is
17 completed. Thank you very much.

18 THE WITNESS: Thank you, sir.

19 (Witness excused.)

20 JUDGE SIPPEL: We don't have another witness that
21 we can take or get started, do we?

22 MR. HUTTON: Well, we could start on Mr. Kase if
23 you would want to try that.

24 JUDGE SIPPEL: Finish him up on the telephone? Do
25 you want to try that?

1 MR. BECHTEL: I really think if we package this --

2 JUDGE SIPPEL: I see.

3 MR. BECHTEL: -- go ahead, and then got that, it
4 would shorten it a lot and make it easier.

5 JUDGE SIPPEL: All right. Okay. Tell Mr. Kase
6 then to go home.

7 MR. HUTTON: Ms. Jane Gilmore.

8 JUDGE SIPPEL: Do you want to start with Ms.
9 Gilmore?

10 MR. HUTTON: We're going to see if she's here.

11 JUDGE SIPPEL: If not, we can always put documents
12 in.

13 Let's go off the record.

14 (Pause off the record.)

15 JUDGE SIPPEL: Ms. Gilmore, would you rise and
16 raise your right hand, please?

17 Whereupon,

18 JANE E. GILMORE

19 having been duly sworn, was called as a witness
20 and was examined and testified as follows:

21 JUDGE SIPPEL: Thank you, ma'am. Please be
22 seated.

23 //

24 //

25 //

1 DIRECT EXAMINATION

2 BY MR. HUTTON:

3 Q Ms. Gilmore, will you please state your name for
4 the record?

5 A My name is Jane Elizabeth Gilmore.

6 Q And where are you employed?

7 A I'm employed with the law firm of Holland &
8 Knight.9 Q Do you have in front of you Volume 2 to the
10 hearing exhibits of Reading Broadcasting, Inc.?

11 A I do.

12 Q All right. Would you please turn to Appendix A of
13 that volume? Appendix A consists of 20 pages of text
14 followed by a declaration by you. Is this your testimony in
15 this case?

16 A Yes.

17 Q And at this time do you have any changes to make
18 to that testimony?

19 A No.

20 Q I would like you to turn to page 2, the chart at
21 the top, there is a column for "Armed Forced." I think it
22 should be "Forces," is that correct?

23 A It should be "Armed Forces."

24 Q Okay. So that's true of all the charts that
25 appear in this exhibit?

1 A That's true.

2 Q Okay. Do you have any other changes to suggest?

3 A The copy that I have is missing page 2. Page 2,
4 Armed Forces, should read -- "Armed Forced" should read
5 "Armed Forces."

6 Q Thanks.

7 MR. HUTTON: At this time I would move for the
8 admission of Appendix A.

9 JUDGE SIPPEL: Okay, Mr. Bechtel, do you want to
10 voir dire?

11 MR. BECHTEL: Yes. Thank you.

12 VOIR DIRE

13 BY MR. BECHTEL:

14 Q Were you present when Ms. Bradley -- I asked her
15 some questions about how her appendix was prepared and how
16 this one was prepared?

17 A No, I was not.

18 Q Okay. Turn to the text on the first page of
19 Appendix A, and about half-way down the first paragraph it
20 is indicated, "Broadcasts of less than two minutes were
21 categorized as PSAs, while broadcasts of two minutes or more
22 were categorized as programs."

23 And I gather from what you say that is -- that was
24 the way you decided whether to call an entry a program or a
25 PSA, is it?

1 A Not entirely.

2 Q Okay, what else did you look at?

3 A Another characteristic that I used or criterion
4 that I used in categorizing something as either a PSA or a
5 program were words used in the blurb of the narrative and
6 program issues reports.

7 Q All right.

8 A If something was two minutes or more, and the
9 blurb did not contain the word "PSA," and contained word
10 such as "interview," "segment," there were a couple of
11 others, then I would categorize that, whatever it was, as
12 the program.

13 If the blurb contained the word "PSA," no matter
14 the length, generally speaking unless it said, "interview"
15 or something else, I would categorize that as a PSA.

16 Q And the next sentence is, "Broadcasts that were
17 not identified as produced entirely by WTVE were categorized
18 as non-locally produced."

19 What was the resource that you may have referred
20 to to make that determination?

21 A The narrative in the programs/issues reports.
22 There were many instances where it was quite clear, it
23 stated verbatim, "Produced by WTVE," WTVE produced this.
24 There were a few instances where I categorized something as
25 produced by WTVE, specifically "Elderly Update." You can

1 find an instance of that in the third quarter program/issues
2 report's narrative. "Elderly Update" is host-produced, and
3 locally oriented by the station, and I characterized that as
4 a local program.

5 Q Now, with regard to classifying these entries
6 under anyone of the categories or subject matter, subject
7 matter on the charts, what was the source for -- how did you
8 proceed from there?

9 A I reviewed all of the narrative portions of the
10 program/issues reports, and in order to be comprehensive and
11 as clear as I possibly could be without coming up with 25
12 categories, I just ascertained using common sense what, you
13 know, the categories could be limited to reasonably so that
14 they could be understood.

15 Q And this work was performed with the quarterly
16 report material which we find entombed in Volumes 2 through
17 11, or whatever they are.

18 A I know about "entombed."

19 Q How about embedded? Is that better?

20 A That's correct.

21 Q How long did this take you?

22 A Approximately two months.

23 MR. BECHTEL: I have no further questions.

24 JUDGE SIPPEL: Mr. Shook?

25 MR. SHOOK: I have nothing to add.

1 JUDGE SIPPEL: I have no questions.

2 Your motion is granted. I take it there is no
3 objection? Objections, is there any objections?

4 MR. SHOOK: No objection.

5 MR. BECHTEL: No.

6 JUDGE SIPPEL: the Exhibit 8-A is now received
7 into evidence. It's been marked, identified and it's
8 received into evidence.

9 (The document referred to,
10 previously identified as
11 Reading Appendix A of Exhibit
12 8, was received in evidence.)

13 JUDGE SIPPEL: You are excused as a witness, Ms.
14 Gilmore. Thank you very much.

15 (Witness excused.)

16 JUDGE SIPPEL: Let's go off the record.

17 (Discussion off the record.)

18 MR. HUTTON: All right, in Volume 3, the first
19 item is Exhibit 8, Appendix C. It is identified as the
20 Program/Issues Report - Third Quarter 1989.

21 JUDGE SIPPEL: Any objections?

22 MR. BECHTEL: No objection.

23 JUDGE SIPPEL: That's received.

24 //

25 //

1 (The document referred to was
2 marked for identification as
3 Reading Appendix C to Exhibit
4 8, and received in evidence.)

5 MR. HUTTON: The next item in the same volume is
6 Appendix D, which is identified as the Program/Issues
7 Report - Fourth Quarter 1989.

8 JUDGE SIPPEL: Objection?

9 MR. BECHTEL: No objection.

10 JUDGE SIPPEL: Thank you. Then D is in.

11 (The document referred to was
12 marked for identification as
13 Reading Appendix D to Exhibit
14 8, and received in evidence.)

15 MR. HUTTON: The next item is Exhibit 8, Appendix
16 E, identified as Program/Issues Report - First Quarter 1990.

17 JUDGE SIPPEL: Okay, that's a three-page document;
18 is that right?

19 MR. HUTTON: It is a three-page document.

20 JUDGE SIPPEL: All right, let's do that, let's
21 identify the number of pages in the document as we do the
22 rest of these, okay, since we have them numbered now.

23 MR. HUTTON: I agree.

24 MR. SHOOK: Since I put you through all that
25 trouble.

1 JUDGE SIPPEL: Is there -- are they are any
2 objections?

3 MR. BECHTEL: No objection.

4 JUDGE SIPPEL: All right, then --

5 MR. HUTTON: Rolling back momentarily, Appendix C
6 is a 27-page document, and Appendix B is also a 27-page
7 document.

8 JUDGE SIPPEL: And Appendix E is the third page?

9 MR. HUTTON: Appendix E is the three-page
10 document.

11 JUDGE SIPPEL: Three-page document. And E is
12 received in evidence at this time also.

13 (The document referred to was
14 marked for identification as
15 Reading Appendix E of Exhibit
16 8, and received in evidence.)

17 MR. HUTTON: All right, the next item is Exhibit
18 8, Appendix F, and it is identified as Program/Issues
19 Report - Second Quarter 1990, and that is a 16-page
20 document.

21 MR. BECHTEL: No objection.

22 JUDGE SIPPEL: No objection; 8-F is received in
23 evidence.

24 //

25 //

1 (The document referred to was
2 marked for identification as
3 Reading Appendix F of Exhibit
4 8, and received in evidence.)

5 MR. HUTTON: The next item is Appendix G to
6 Exhibit 8, and it is identified as the Program/Issues
7 Report - Third Quarter 1990, and it is a 22-page document.

8 MR. BECHTEL: No objection.

9 JUDGE SIPPEL: It's received; 8-G is received in
10 evidence.

11 (The document referred to was
12 marked for identification as
13 Reading Appendix G of Exhibit
14 8, and received in evidence.)

15 MR. HUTTON: The next item is identified as
16 Appendix H to Exhibit 8, and it is titled Program/Issues
17 Report - Fourth Quarter 1990, and it is a 44-page document.

18 MR. BECHTEL: No objection.

19 JUDGE SIPPEL: 8-H is received in evidence.

20 (The document referred to was
21 marked for identification as
22 Reading Appendix H of Exhibit
23 8, and received in evidence.)

24 MR. HUTTON: The next is Appendix I to Exhibit 8,
25 and it is identified as the Program/Issues Report - First

1 Quarter 1991, and it is a 71-page document.

2 MR. BECHTEL: No objection.

3 JUDGE SIPPEL: 8-I is received in evidence.

4 (The document referred to was
5 marked for identification as
6 Reading Appendix I of Exhibit
7 8, and received in evidence.)

8 MR. HUTTON: The next item is Exhibit 8, Appendix
9 J, and it is identified as Program/Issues Report - Second
10 Quarter 1991, and it is a 38-page document.

11 MR. BECHTEL: No objection.

12 JUDGE SIPPEL: 8-J is received in evidence.

13 (The document referred to was
14 marked for identification as
15 Reading Appendix J of Exhibit
16 8, and received in evidence.)

17 MR. HUTTON: The next item is Exhibit 8, Appendix
18 K and it is identified as the Program/Issues Report - Third
19 Quarter 1991, and it is a 62-page document.

20 MR. BECHTEL: No objection.

21 JUDGE SIPPEL: 8-K is received in evidence.

22 (The document referred to was
23 marked for identification as
24 Reading Appendix K of Exhibit
25 8, and received in evidence.)

1 MR. HUTTON: The next item is Exhibit 8, Appendix
2 L, and it is identified as the Program/Issues Report -
3 Fourth Quarter 1991, and it is a 78-page document.

4 MR. BECHTEL: No objection.

5 JUDGE SIPPEL: 8-L is received in evidence.

6 (The document referred to was
7 marked for identification as
8 Reading Appendix L of Exhibit
9 8, and received in evidence.)

10 JUDGE SIPPEL: Go to the next volume. It will be
11 Volume 4?

12 MR. HUTTON: Volume 4, Your Honor.

13 The first item in Volume 4 is Exhibit 8, Appendix
14 M, and it is identified as Program/Issues Report - First
15 Quarter 1992, and it is a 112-page document.

16 MR. BECHTEL: No objection.

17 JUDGE SIPPEL: And Exhibit 8-M is received in
18 evidence.

19 (The document referred to was
20 marked for identification as
21 Reading Appendix M of Exhibit
22 8, and received in evidence.)

23 MR. HUTTON: The next item is Exhibit 8, Appendix
24 N, and it is identified as the Program/Issues Report -
25 Second Quarter 1992," and it is a 168-page document.

1 MR. BECHTEL: No objection.

2 JUDGE SIPPEL: Exhibit 8-N is received in
3 evidence.

4 (The document referred to was
5 marked for identification as
6 Reading Appendix N of Exhibit
7 8, and received in evidence.)

8 MR. HUTTON: The next item is Exhibit 8, Appendix
9 O, and it is identified as "Program/Issues Report - Third
10 Quarter 1992, and it is 185-page document.

11 MR. BECHTEL: No objection.

12 JUDGE SIPPEL: Exhibit 8-O is received in
13 evidence.

14 (The document referred to was
15 marked for identification as
16 Reading Appendix O of Exhibit
17 8, and received in evidence.)

18 MR. HUTTON: The next item is Appendix P to
19 Exhibit 8, and it is identified as Program/Issues Report -
20 Fourth Quarter 1992, and it is a 219-page document.

21 MR. BECHTEL: No objection.

22 JUDGE SIPPEL: Exhibit 8-P is received in
23 evidence.

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25 //

1 (The document referred to was
2 marked for identification as
3 Reading Appendix P of Exhibit
4 8, and received in evidence.)

5 JUDGE SIPPEL: Do we go to another volume now?

6 MR. HUTTON: Yes, Your Honor.

7 The first item in Volume 5 is Appendix Q to
8 Exhibit 8, and it is identified as Program/Issues Report -
9 First Quarter 1993, and it is a 252-page document?

10 MR. BECHTEL: No objection.

11 JUDGE SIPPEL: Exhibit 8-Q is received in evidence
12 (The document referred to was
13 marked for identification as
14 Reading Appendix Q of Exhibit
15 8, and received in evidence.)

16 MR. HUTTON: The next item is Appendix R to
17 Exhibit 8, and it is identified as Program/Issues Report -
18 Second Quarter 1993, and it is a 233-page document.

19 MR. BECHTEL: No objection.

20 JUDGE SIPPEL: Okay, Exhibit 8-R is received in
21 evidence.

22 (The document referred to was
23 marked for identification as
24 Reading Appendix R of Exhibit
25 8, and received in evidence.)

1 MR. HUTTON: And that completes that binder. The
2 next binder is Volume 6.

3 The first item in Volume 6 is Appendix S to
4 Exhibit 8, and it is identified as Program/Issues Report -
5 Third Quarter 1993, and it is a 227-page document.

6 MR. BECHTEL: No objection.

7 JUDGE SIPPEL: Exhibit 8-S is received in
8 evidence.

9 (The document referred to was
10 marked for identification as
11 Reading Appendix S of Exhibit
12 8, and received in evidence.)

13 MR. HUTTON: The next item in this volume is
14 Appendix T to Exhibit 8, and it is a Program/Issues Report -
15 Fourth Quarter 1993. It looks to me like our numbering
16 system may have broken down here.

17 JUDGE SIPPEL: We were on a roll there.

18 MR. HUTTON: I know.

19 JUDGE SIPPEL: I've got 173 pages in my copy.

20 (Pause.)

21 MR. HUTTON: All right, I think this volume is
22 incorrect. We had better check the other volumes.

23 JUDGE SIPPEL: All right, we will come back to
24 that. So that's Exhibit 8-T as in "Thomas"?

25 MR. HUTTON: Yes.

1 JUDGE SIPPEL: All right, let's put that aside.

2 MR. HUTTON: All right, let's move on to Volume 7,
3 and it contains Appendix U to Exhibit 8, and it is
4 identified as Program/Issues Report - First Quarter 1994,
5 and it is a 330-page document.

6 MR. BECHTEL: No objection.

7 JUDGE SIPPEL: Okay, Exhibit 8-U as identified is
8 received in evidence at this time.

9 (The document referred to was
10 marked for identification as
11 Reading Appendix U of Exhibit
12 8, and received in evidence.)

13 MR. HUTTON: The next volume is Volume 8. It
14 contains Appendix V to Exhibit 8, and it is identified as
15 Program/Issues Report - Second Quarter 1992, and it is a
16 356-page document.

17 MR. BECHTEL: No objection.

18 JUDGE SIPPEL: Okay, Exhibit 8-V as in "Victor" is
19 received in evidence.

20 (The document referred to was
21 marked for identification as
22 Reading Appendix V of Exhibit
23 8, and received in evidence.)

24 MR. HUTTON: And that brings us to Volume 9, which
25 contains Appendix W, and that is identified as

1 Program/Issues Report - Third Quarter 1994, and that is a
2 340-page document.

3 MR. BECHTEL: No objection.

4 JUDGE SIPPEL: Exhibit 8-W is received in
5 evidence.

6 (The document referred to was
7 marked for identification as
8 Reading Appendix W of Exhibit
9 8, and received in evidence.)

10 MR. HUTTON: All right, the next binder is Volume
11 10. It contains Appendix X to Exhibit 8, and that is
12 identified as Children's Issues and Program Reports (Fourth
13 Quarter 1991 - Fourth Quarter 1993), and it is a 311-page
14 document.

15 MR. BECHTEL: No objection.

16 JUDGE SIPPEL: Exhibit 8-X is received in
17 evidence.

18 (The document referred to was
19 marked for identification as
20 Reading Appendix X of Exhibit
21 8, and received in evidence.)

22 MR. HUTTON: All right, that completes Exhibit 8
23 subject to our verification on Appendix T.

24 JUDGE SIPPEL: Do you want to wait on that until
25 tomorrow or can you do that? Can we go off the record and

1 you can do that now?

2 MR. HUTTON: I think we can go off the record and
3 do it now.

4 JUDGE SIPPEL: All right, let's do that. Off the
5 record for a minute.

6 (Discussion off the record.)

7 MR. HUTTON: The only erroneous volume is our own
8 volume, and we will correct that. Therefore, I would ask
9 for the admission of Exhibit 8, a 173-page document.

10 JUDGE SIPPEL: Mr. Bechtel.

11 MR. HUTTON: Appendix T.

12 MR. BECHTEL: No objection.

13 JUDGE SIPPEL: Okay, Exhibit 8-T as in "Thomas,"
14 173 pages, is received in evidence.

15 (The document referred to was
16 marked for identification as
17 Reading Appendix T of Exhibit
18 8, and received in evidence.)

19 JUDGE SIPPEL: Does that conclude your documentary
20 production or rather introduction of evidence?

21 MR. HUTTON: Well, I had a question as to our
22 Exhibits 9 through 14. I don't recall if those were moved
23 into evidence or not.

24 JUDGE SIPPEL: Nine through 14. Those are all --
25 oh, there is one missing, I know that, and that's Exhibit

1 14, but I have, according to my schedule, Exhibits 9 through
2 13 have been received in evidence.

3 MR. HUTTON: Okay. And Exhibit 14 was the NAB
4 document that was subject to the objection. Okay.

5 JUDGE SIPPEL: What are we going to do with that?

6 MR. HUTTON: I am not going to contest that. I
7 will, you know, agree --

8 JUDGE SIPPEL: Withdraw it?

9 MR. HUTTON: What's that?

10 JUDGE SIPPEL: Are you going to withdraw it?

11 MR. HUTTON: I'll withdraw it.

12 JUDGE SIPPEL: All right. We will consider it
13 withdrawn, and we will strike Exhibit 14 from the well. It
14 was be treated as being stricken from the record.

15 (The document referred to was
16 marked for identification as
17 Reading Exhibit No. 14, and
18 stricken from the record.)

19 JUDGE SIPPEL: I got to read those case over lunch
20 for nothing, huh.

21 (Laughter.)

22 JUDGE SIPPEL: Okay. That's fine. I think that
23 certain, Mr. Hutton, you and your team are to be commended.
24 This has been over and above what's expected, a yeoman
25 effort to pull this record together like this over a short

1 period, and I appreciate that. Everybody else does too, I'm
2 sorry.

3 So we are set as far as your exhibits go, and we
4 have just one witness tomorrow; is that right? Any other
5 business? No?

6 We are in recess until 9:30. Thank you very much.

7 ALL: Thank you, Your Honor.

8 (Whereupon, at 4:00 p.m., the hearing in the
9 above-entitled matter was recessed, to resume at 9:30 a.m.,
10 on Friday, January 7, 2000.)

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REPORTER'S CERTIFICATE

FCC DOCKET NO.: 99-153

CASE TITLE: In Re: Applications of Reading Broadcasting

HEARING DATE: January 06, 2000

LOCATION: Washington, DC

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.

Date: 1/6/00

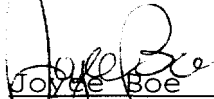


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